



PIPER  
MARBURY  
RUDNICK  
& WOLFE LLP

ORIGINAL

EX PARTE OR LATE FILED

RECEIVED

MAY 24 2001

FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF THE SECRETARY

1200 Nineteenth Street, N.W.  
Washington, D.C. 20036-2412  
www.piperrudnick.com

PHONE (202) 861-3900  
FAX (202) 223-2085

EMILIO CIVIDANES

emilio.cividan@piperrudnick.com  
PHONE (202) 861-3911  
FAX (202) 223-2085

May 24, 2001

HAND DELIVERY

Magalie Roman Salas  
Secretary  
Federal Communications Commission  
445 12th Street, S.W.

Re: CC Docket No. 97-213 In the Matter of Communications Assistance for  
Law Enforcement Act (CALEA)

Dear Ms. Salas:

The attached letter from the undersigned was provided to Ms. Dorothy Attwood, Thomas J. Sugrue and Bruce Franca on May 24, 2001. It should be entered in the record of the above proceeding.

Please do not hesitate to call the undersigned if you have any questions.

Sincerely,

Emilio Cividanes  
Counsel for  
International SoftSwitch Consortium

EC/mwm  
Enclosures

No. of Copies rec'd 0+1  
List A B C D E



PIPER  
MARBURY  
RUDNICK  
& WOLFE LLP

RECEIVED

MAY 24 2001

FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF THE SECRETARY

1200 Nineteenth Street, N.W.  
Washington, D.C. 20036-2412  
www.piperrudnick.com

PHONE (202) 861-3900  
FAX (202) 223-2085

EMILIO CIVIDANES

emilio.cividan@piperrudnick.com  
PHONE (202) 861-3911  
FAX (202) 223-2085

May 24, 2001

HAND DELIVERY

**NOTICE OF EXPARTE**

Dorothy Attwood, Chief, Common Carrier Bureau  
Thomas J. Sugrue, Chief, Wireless Telecommunications Bureau  
Bruce Franca, Acting Chief Office of Engineering Bureau  
Federal Communications Commission  
445 12<sup>th</sup> Street, S.W.  
Washington, DC 20554

Re: CC Docket No. 97-21, In the Matter of Communications Assistance for  
Law Enforcement Act (CALEA)

Dear FCC Bureau Chiefs:

This letter is written on behalf of the International Softswitch Consortium, an organization of over two hundred (200) members which promotes compatibility and seamless interoperability of softswitch operation. The members of the Consortium include domestic and foreign manufacturers of equipment marketed in the United States, carriers which operate in the United States, and foreign entities that own interests in carriers which operate in the United States. A list of the members of the Consortium is attached hereto as Exhibit A.

The Consortium works to advance the worldwide adoption of next-generation multimedia communications by providing the industry's largest forum for the identification, discussion, and definition of softswitch components and functions. SoftSwitch-based services make use of packet mode technologies.

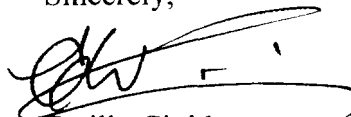
The Consortium has established a Legal Intercept Working Group to deal with the implementation of the Communications Assistance for Law Enforcement Act (CALEA) and associated matters. That Working Group has evaluated the existing telecommunications and cable industry standards and has found that they are not

adequate or properly directed for application in a softswitch environment. Indeed, the existing standards do not provide workable solutions for all packet networks, including but not limited to networks that provide services to corporations, businesses, and hotels. Accordingly, the Working Group has undertaken to develop an appropriate document pursuant to the "Safe Harbor" provisions of CALEA. The Working Group has been contacted by the Federal Bureau of Investigation (FBI) in connection with its work, and plans to receive input from the FBI and other interested parties.

However, there are a number of issues presently before the Commission in respect to the "Punch List" items proposed by the Department of Justice/FBI, and some of those issues raise important questions respecting privacy and security. In order to properly develop an appropriate document to deal with CALEA issues in the softswitch context, the issues before the Commission need to be resolved and the Consortium needs an appropriate opportunity to reflect the resolution(s) in the Safe Harbor document which is being developed.

Requests for the suspension or extension of the September 30, 2001 deadline for compliance with CALEA obligations for packet mode telecommunications services have been filed by the Telecommunications Industry Association and other parties. In order to permit the development and publication of an appropriate International Softswitch Consortium document, the Consortium expresses its support for the suspension or extension of the CALEA obligations for packet mode telecommunications services

Sincerely,



Emilio Cividanes  
Counsel for  
International SoftSwitch Consortium

EC/mwm  
Enclosures

cc: David O. Ward  
Gayle Radley Teichert  
Susan Kimmel  
John Spencer  
Charles Iseman



PIPER  
MARBURY  
RUDNICK  
& WOLFE LLP

Dorothy Attwood  
Thomas J. Sugrue  
Bruce Franca  
May 24, 2001  
Page 3

Rodney Small  
Jerome Stanshine  
Magalie Roman Salas  
ITS